

Docket No.: 48850-036

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Christian MAYAUD

Serial No.: 09/201,107

Group Art Unit: 2764

Filed: November 30, 1998

Examiner: M. KEMPER

For: PRESCRIPTION MANAGEMENT SYSTEM



**TERMINAL DISCLAIMER AND CERTIFICATION
UNDER RULE 1.321 & 3.73(b)**

Honorable Commissioner of Patents
and Trademarks
Washington, D. C. 20231

Sir:

Your Petitioner, Advanced Health Technologies Corporation (AHTC) represents that it is the assignee of the entire right, title and interest in and to prior United States Patent No. 5,845,255, issued December 1, 1998 (prior patent) by virtue of the Assignment recorded on July 17, 1997 at Reel 8119 Frame 811 directed to parent U.S. Application Serial No. 08/942,372, entitled **PRESCRIPTION MANAGEMENT SYSTEM**, was assigned to Advanced Health Med-E-Systems Corporation. Attached are a Certificate of Amendment of Amended and Restated Certificate of Incorporation and Advanced Health Med-E-Systems Corporation and a copy of a Certificate from the state of Delaware reflecting this name change. Your Petitioner further represents that it is the Assignee of the entire right, title and interest in and to continuing U. S. Application Serial No. 09/201,107, entitled **Prescription Management System filed November 30, 1998 (instant application)**,

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Serial No.: 09/201,107

by virtue of the Assignment from the inventors of the Parent Application, which Assignment specifically assigns title for "any continuations . . . thereof" to the Assignee.

Your Petitioner hereby disclaims the terminal part of any patent granted on said application which would extend beyond the expiration date of said prior patent.

Your Petitioner further agrees that any patent issuing on said Application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to said Prior Patent, this agreement to run with any patent granted on said Application and to be binding upon the grantee, its successor or assigns.

In making the above disclaimer, Petitioner does not disclaim any terminal part of any patent granted on the Application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the Prior Patent, as shortened before its grant by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened before its grant by any terminal disclaimer.